

**REGENTS BOARD[681]**

**Adopted and Filed**

**Rule making related to traffic and parking at universities**

The Board of Regents hereby amends Chapter 4, “Traffic and Parking at Universities,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 262.9, 262.69 and 805.8A.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 262.9.

*Purpose and Summary*

The amendment in Item 1 revises the definition of “bicycle” to include an electric/battery-powered bicycle with a motor of less than 750 watts. The amendment in Item 2 revises subrule 4.30(4) regarding parking privileges for persons with disabilities to clarify the requirements for obtaining a permit to park in facilities designated for use by persons with disabilities. The amendment in Item 3 revises subrule 4.31(2) regarding sanctions by increasing the monetary sanction imposed for certain violations of parking rules.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 14, 2018, as **ARC 3670C**. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Board on June 7, 2018.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board of Regents for a waiver of the discretionary provisions, if any, pursuant to rule 681—19.18(17A).

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

### Effective Date

This rule making will become effective on August 8, 2018.

The following rule-making actions are adopted:

ITEM 1. Amend rule **681—4.2(262)**, definition of “Bicycle,” as follows:

“Bicycle” means any wheeled vehicle which has two or three wheels and fully operable pedals and which is not self-propelled and which is a traditional bicycle designed solely to be pedaled by the rider. An electric/battery-powered bicycle designed not only to be pedaled by the rider but also propelled by an electric motor of less than 750 watts (one horsepower) may be treated as a bicycle and may be parked at bicycle racks.

ITEM 2. Amend subrule 4.30(4) as follows:

**4.30(4) Persons with disabilities.** Persons with disabilities will be granted parking privileges in parking facilities designated for use by persons with disabilities. ~~Persons with disabilities may apply for special parking privileges for up to six months upon issuance of a letter by the director of student health service, or the director’s designee, rehabilitation counselor, student counseling service; or by a personal physician, indicating the character, extent, probable duration of the disability, and certifying the need for special parking. After an initial six months, a faculty or staff member or a student~~ Persons must present a currently valid department of transportation parking permit for persons with disabilities to ~~renew~~ obtain the campus permit. Parking facilities designated for persons with disabilities shall be so regulated all hours of all days.

ITEM 3. Amend subrule 4.31(2) as follows:

**4.31(2) Sanction.** Reasonable monetary sanctions may be imposed for violation of these rules. The amount of the sanction approved by the board of regents, state of Iowa, is as follows:

| <u>Offenses</u>  | <u>Sanctions for<br/>Each Offense</u> |
|--|---------------------------------------|
| Altering, forging or counterfeiting any parking permit (4.30(5))                                       | \$150                                 |
| Unauthorized possession and use of a parking permit (4.30(5))  | \$150                                 |
| Failure to comply with signs regulating campus traffic flow (681—4.27(262))                            | \$30                                  |
| Driving on campus walks or lawns (4.27(6), 4.27(8))  | \$30                                  |
| Driving on closed streets (4.27(3))  | \$30                                  |
| Driving on bike paths (4.27(7))  | \$30                                  |
| Access to restricted areas by means other than established gate openings (4.29(5))                     | \$30                                  |
| Moving or driving around a barricade (4.29(5))   | \$30                                  |
| Improper use of gate card (681—4.29(262))  | \$20                                  |
| Illegal parking (4.29(7))  | <del>\$40</del> <u>\$50</u>           |
| Improper parking (4.29(7))   | <del>\$15</del> <u>\$25</u>           |
| Overtime parking at meters (4.29(2))   | <del>\$10</del> <u>\$15</u>           |
| Parking without an appropriate permit in a reserved lot or space (681—4.29(262))                       | <del>\$30</del> <u>\$50</u>           |
| Improper affixing or failure to display a permit (681—4.28(262))                                       | \$5                                   |
| Failure to purchase a parking receipt (4.29(2))  | <del>\$10</del> <u>\$15</u>           |
| Improper parking in a space or stall designated for persons with disabilities (681—4.29(262), 4.30(4)) | \$200                                 |
| Failure to display a current bicycle registration (4.28(4))  | \$5                                   |
| Bicycle improperly parked (4.29(9))  | \$7.50                                |
| Improper use of roller skates, roller blades or skateboard (4.27(9))                                   | \$25                                  |
| All other violations   | \$15                                  |

Violations that continue for more than one hour may receive additional sanctions.

Sanctions may be assessed against the owner or operator of the vehicle involved in each violation or against any person in whose name the vehicle is registered or parking privileges have been granted and may be charged to the violator's university account. Sanctions may be added to student tuition bills or may be deducted from student deposits or from the salaries or wages of employees or from other funds in the possession of the university.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/4/18.